

59154

TO: Board of Acquisition and Contract
FROM: Vincent F. Kopicki, PE
Commissioner of Public Works and Transportation
DATE: September 26, 2017
SUBJECT: Third Amendment to Agreement No. 07-932 in the matter of Engineering Services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York

Consultant: CHA Consulting, Inc.
Amendment Amount: \$880,000.00

Pursuant to a Resolution approved on July 26, 2007, the County of Westchester ("County") entered into Agreement Number 07-932 with Clough Harbour & Associates, LLP ("Consultant"), III Winners Circle, PO Box 5269, Albany, New York 12205, wherein the Consultant was to provide preliminary design services associated with the Sprain Ridge Pool Modernization, Yonkers, New York. The Agreement was thereafter amended by Resolution approved July 23, 2009, for final design services associated with the Sprain Ridge Pool Modernization, Yonkers, New York. The Agreement was thereafter further amended by Resolution approved February 4, 2016, to change the name of the Consultant to CHA Consulting, Inc. and for revised final design services associated with the Sprain Ridge Pool Modernization, Yonkers, New York.

Construction of the Activity Pool (Pool #1), spray pad, bath house, and surrounding pool deck was completed recently at the Sprain Ridge Facility with funding from Capital Project RSP02. The County has been satisfied with the quality of services provided to date by the Consultant. On August 7, 2017, the Westchester County Board of Legislators approved a Capital Budget Amendment and a related Bond Act to finance Capital Project RSP03 which includes construction of the main Competition Pool (Pool #2). Design services and construction administration services for the main Competition Pool are required at this time.

It is therefore requested that the existing Agreement be further amended to provide for engineering services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York. The Consultant shall provide additional design services and construction administration services associated with the main Competition Pool (Pool #2) at the Sprain Ridge Facility. Additional design services shall include obtaining any required permit approvals, the preparation of construction documents (plans and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the Consultant shall provide design services during construction consisting of shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors' applications for payment.

Board of Acquisition and Contract
Agreement No. 07-932, Third Amendment
Sprain Ridge Pool Modernization
Yonkers, New York
CHA Consulting, Inc.
Page 2

The objective of this project is to make improvements to the main Competition Pool including all infrastructure, site work, and landscaping at the Sprain Ridge Facility. These improvements are necessary to reopen the main Competition Pool to the public. This agreement will benefit the public as it meets the increased demand created by the rising popularity of aquatic recreation through modernizing the Sprain Ridge Pool with a safer, more sanitary facility.

The engineering discipline encompassed in this Amendment is not new, but rather, it is an integral part of the project that involves the same degree of skill, experience and complexity as the expertise generally described in the original project. Accordingly, this type of engineering discipline was originally contemplated in the Professional Prequalification Board and Professional Selection Board process.

The fee for the above services is for an amount of \$880,000.00 pursuant to an approved budget, bringing the total Agreement plus Amendments to \$2,299,700.00. The completion date of the Agreement shall be extended to December 31, 2019.

The Department of Public Works and Transportation will track scheduling and accomplishments by the Consultant and perform on-site inspections to ensure the successful completion of this project.

Proposed form of Resolution to accomplish the foregoing is attached hereto.

VFK/JJN/ER/AS

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that the existing Agreement between the County of Westchester (“County”) and CHA Consulting, Inc. (“Consultant”), III Winners Circle, PO Box 5269, Albany, New York 12205, be amended to provide for engineering services in connection with the Sprain Ridge Pool Modernization, Yonkers, New York. The Consultant shall provide additional design services and construction administration services associated with the main Competition Pool (Pool #2) at the Sprain Ridge Facility. Additional design services shall include obtaining any required permit approvals, the preparation of construction documents (plans and specifications), construction cost estimates, any required addenda, and a bid analysis including an evaluation of the bids to determine compliance with bidding requirements and whether the bidders are responsible so that the County may recommend award of the construction contracts. In addition, the Consultant shall provide design services during construction consisting of shop drawing and submittal reviews, attendance at project meetings, periodic site visits and preparation of as-built drawings. For additional construction administration services, the Consultant shall monitor the construction procedures on the site to ensure compliance with the contract documents, coordinate scheduled activities of the contractors, submit construction progress reports and review and process contractors’ applications for payment; and be it further

RESOLVED, that for the additional services rendered in accordance with the Consultant’s proposal, CHA Consulting, Inc., shall be paid a fee of \$880,000.00 pursuant to an approved budget, increasing the total maximum fee to \$2,299,700.00; and be it further

RESOLVED, that the completion date of the Agreement shall be extended to December 31, 2019; and be it further

RESOLVED, that all other provisions of the existing Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

| | | | |
|--------------------|-----------|---------------------|--|
| Original Agreement | \$ | 205,000.00 | (Preliminary Design Services) |
| First Amendment | | 539,700.00 | (Final Design Services) |
| Second Amendment | | 675,000.00 | (Revised Final Design Services) |
| This Amendment | | <u>880,000.00</u> | (Additional Design & Construction Administration Services) |
| TOTAL | \$ | 2,299,700.00 | |

Agreement No. 07-932

| Account to be Charged/Credited | Fund | Dept | Major Program, Program & Phase or Unit | Object/ Sub Object | Bond Act No. | Dollars |
|--------------------------------|------|------|--|--------------------|--------------|---------------|
| | 372 | 42 | RSP0301E | 6120-03 | BA #160-2017 | \$ 332,100.00 |
| | 372 | 42 | RSP0301I | 6120-05 | BA #160-2017 | \$ 547,900.00 |
| | | | | | | |

Budget Funding Year(s): 2017 Start Date: 07/30/07 End Date: 12/31/19
 (must match resolution)

Funding Source: Tax Dollars: 100% County Contractor Federal I.D. No./
 State Aid: _____ Social Security No.: _____
\$880,000.00 Federal Aid: _____ Vendor No.: _____
 (must match resolution) Other: _____ Encumbrance No.: _____